

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

SONIA HERNANDEZ CARUSO,

Plaintiff,

v.

TEXAS MEDICAL BOARD, et al.,

Defendants.

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1:24-cv-217-DII

**ORDER**

Before the Court is the report and recommendation of United States Magistrate Judge Susan Hightower concerning Defendants Texas Medical Board, Scott M. Freshour, Susan D. Rodriguez, Amy Swanholm, J.D., and Sherif Zaafran, MD’s (“Defendants”) Motion to Dismiss, (Dkt. 9). (R. & R., Dkt. 20). Plaintiff Sofia Hernandez Caruso (“Plaintiff”) timely filed objections to the report and recommendation. (Objs., Dkt. 21).

A party may serve and file specific, written objections to a magistrate judge’s findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C.

§ 636(b)(1)(C). Because Plaintiff timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules Plaintiff’s objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Susan Hightower, (Dkt. 20), is **ADOPTED**.

**IT IS FURTHER ORDERED** that Defendants’ motion to dismiss, (Dkt. 9), is **GRANTED**. Plaintiff’s constitutional claims against the Texas Medical Board, Sherif Zaafran, Scott

Freshour, Amy Swanholm and Susan Rodriguez in their official capacities for money damages are **DISMISSED** without prejudice. Plaintiff's state law claims are **DISMISSED** without prejudice. All other claims are **DISMISSED** with prejudice.

The Court will enter final judgment by separate order.

**SIGNED** on December 9, 2024.

A handwritten signature in blue ink, appearing to read "R. Pitman", is written above a horizontal line.

ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE